

REMARKS

The present response is to the Office Action mailed in the above-referenced case on February 13, 2007. Claims 40-78 are presented for examination. The Examiner rejects claims 57-66 under 35 U.S.C. 101 because the claims are directed to non-statutory subject matter. Claims 40-78 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-39 of U.S. Patent No. 6,412,073.

In response, applicant herein amends claim 57 to overcome the 101 rejection asserted by the Examiner. Claims 58-66 also overcome the rejection as being dependent upon claim 57. Applicant herein provides a Terminal Disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) to overcome the double patenting rejection.

The Examiner has not asserted any other rejections against the claims presented in applicant's invention, therefore the claims, as amended, are patentable with the acceptance of the Terminal disclaimer.

If any fees are due beyond fees paid with this response, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,
P. Venkat Rangan et al.

By *Donald R. Boys*
Donald R. Boys
Reg. No. 35,074

Central Coast Patent Agency, Inc.
3 Hangar Way, Suite D
Watsonville, CA 95076
831-768-1755